

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MARQUIS ADAMS,

Plaintiff,

vs

9:04-CV-530

JOE WOLCZYL, C.H.O.; JOHN BURGE,
Superintendent, Auburn Correctional Facility;
MARK BRADT, Deputy Superintendent, Auburn
Correctional facility; JOHN R. ROURKE, Captain,
Auburn Correctional Facility; BRIAN CHUTTEY,
Sergeant, Auburn Correctional Facility; KEVIN
WALSH, C.O.; and JOHN DOE, Watch
Commander Lt.,

Defendants.

APPEARANCES:

OF COUNSEL:

MARQUIS ADAMS
Plaintiff, Pro Se
98-B-2202
Southport Correctional Facility
P.O. Box 2000
Pine City, NY 14871

HON. ELIOT SPITZER
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State of New York
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MARIA MORAN, ESQ.
Asst. Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff, Marquis Adams, brought this civil rights action pursuant to 42 U.S.C. §
1983. By Report-Recommendation dated January 19, 2006, the Honorable David R. Homer,

United States Magistrate Judge, recommended that the complaint be dismissed. No objections to the Report-Recommendation have been filed. It is noted that the recommendation for dismissal is on the basis of the failure by the plaintiff to keep the court apprised of his current address. Indeed, it is further noted that the very report recommendation that recommends dismissal was returned for lack of a current address for the plaintiff.

Therefore, based upon a careful review of the entire file and the recommendations of Magistrate Judge Homer, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1).

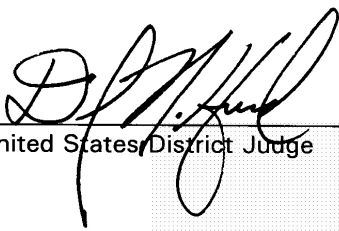
Accordingly, it is

ORDERED that the complaint is DISMISSED in its entirety.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: February 23, 2006
Utica, New York.


United States District Judge